

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of:)	
)	
Request for Review and/or Waiver of)	
Decision of the Universal Service)	
Administrator)	CC Docket No. 02-6
)	
By)	
)	
Cleveland Municipal School District)	
Cleveland, Ohio)	

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street. SW
Washington, D.C. 20554

RE: The Cleveland Municipal School District (“Cleveland”, “District”), *a.k.a.* Cleveland City School District, respectfully requests that the Federal Communications Commission (“Commission”, “FCC”) review and reverse the Universal Service Administrative Company’s (“Administrator”, “USAC”) Schools and Libraries Division (“SLD”, “E-Rate Program”) decisions denying funding for Basic Maintenance of Internal Connections services relative to Funding Request Numbers (“FRNs”) 1757609, 1757745, and 1757874 in FCC Form 471 635304. This Request for Review and/or Waiver is made to the Commission pursuant to 47 U.S.C. at §§ 54.719(c) to 54.725 seeking redress for:



Cleveland City School District
Billed Entity Number 129482

FCC Form 471 Application Number 635304

Funding Request Numbers: 1757609, 1757745, and 1757874

SPIN numbers: 143022841, 143022841, and 143011790

Funding Commitment Decision Letter date: March 24, 2009

Date of Administrator's Decision on Appeal Letter: June 26, 2009

FROM: Cleveland Municipal School District
Ilze K. Lacis
Director-Management Information Services/E-Rate Program
4966 Woodland Avenue
Cleveland, OH 44104
Tel: 216 432 6240
Fax: 216 432 4632
Lacisil@cmsdnet.net

INTRODUCTION:

The basis of this appeal for the three FRN's noted in this Request for Review and/or Waiver is grounded in three FCC fundamental principles. Cleveland will demonstrate that the Administrator ignored and contradicted its own practices and FCC precedent, denied established procedure, and disregarded the intent of the E-rate program. Furthermore, the Schools and Libraries Division of the Universal Service Administrative Company stated, in effect, the same reasons for denial in both the original Funding Commitment Decision Letter ("FCDL"), dated March 24, and in the Administrator's Decision on Appeal – Funding Year 2008-2009 ("ADL"), dated June 26, 2009.

The District presents facts herein to the Commission that USAC did not adhere to the rules it cited in the FCDL nor in the ADL as they pertain to this Request for Review and/or Waiver. Cleveland contends that the Administrator's action (1) interrupted USAC's Program Integrity Assurance ("PIA") process denying the District opportunity to complete the review, (2) was inconsistent with the Federal Communications Commission's Wireline Competition

Bureau's order, FCC 06-54 ("Bishop Perry", "Order"), and (3) disregarded the intent of the program established in the Telecommunications Act of 1996,¹ resulting in an incomplete review of the above three FRN's, seeking funding for Basic Maintenance of Internal Connections for Funding Year 2008 and, thus, inflicted "...undue hardship..."² on the Cleveland Municipal School District. The District affirms that its actions regarding funding requests to the SLD are governed by consistent adherence to the rules, regulations and the spirit of the E-rate program. Cleveland has, over the years, worked with the Administrator in good faith, and made every effort to realize the intended benefits of the E-rate program³, and thus expects commensurate consistency and adherence on the part of the Administrator. Herein follow the denial notations from the FCDL and the ADL.

The Funding Commitment Report ("FCR") in the FCDL, March 24, 2009 (Attachment "A"):

DR1: The applicant's request to revise Block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%.

DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded.

The Administrator's Decision on Appeal – Funding Year 2008-2009 ("ADL"), dated June 26, 2009, (Attachment "B") states:

Upon review of the appeal letter and the relevant documentation, USAC has determined that a Form 471 Receipt Acknowledgement Letter (RAL) was dated on February 14, 2008, to the Cleveland City School District. The RAL provided you with the opportunity to make allowable corrections to any errors on your FCC Services Ordered and Certification Form 471. All corrections were due to USAC by March 5, 2008. On February 19, 2009, you indicated that you were going to make adjustments to the Form 471 Number 635304. The request to remove the entities was not received during the allowable timeframe to make corrections to the Form 471. Subsequently, a Funding Commitment Decision Letter (FCDL) was

¹ 47 U.S.C. § 254(h)(1)(B). In addition, Congress directed the Commission to "enhance . . . access to advanced telecommunications and information services for all public and non-profit elementary and secondary school classrooms, health care providers, and libraries." 47 U.S.C. § 254(h)(2).

² FCC 06-54 at 14

³ FCC 06-54 at 14

The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to cure ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170. et al., CC Docket No. 02-6, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends a Form 471 Receipt Acknowledgement Letter (RAL) to each applicant once the FCC Form 471 has been successfully data entered. The RAL provides the applicant with an opportunity to amend their filings to cure minor errors or to submit missing information within 15 calendar days from the date of the receipt of notice in writing by USAC. Failure to provide missing information within 15 days from USAC's notification may result in a rejection of a form or a denial of a funding request. See SLD section of the USAC's web site, Reference Area, "Bishop Perry Order, Help and FAQs", www.usac.org/sl. The record indicates that you did not submit your changes within the allotted time period after USAC notification. Consequently, your appeal is denied.

The date on the ADL is thirty-five days after the District sent its Letter of Appeal to the Administrator, an atypically expeditious response. As a matter of course, USAC has responded no sooner than ninety days and usually after nine or more months to Cleveland's Letters of Appeal, citing the need for time to fully and properly review the Appeal. The Administrator's denial letter of June 26, 2009 of Cleveland's Appeal appears peremptory and without a discernable review of the information presented in the appeal to the SLD, giving, in effect, a restatement of the FCDL's original denial with additional words.

BACKGROUND:

The Cleveland Municipal School District is an urban school district with 50,000 students. A considerable number of these students qualify for a free or reduced lunch through the U.S. Department of Agriculture's National School Lunch Program ("NSLP"). The discount level, measured by the percentage of students eligible for the National School Lunch Program, determines the District's obligatory percentage and is a critical element for the District's budgetary considerations.

Cleveland timely filed in February of 2008 funding requests with the SLD for Priority One and Priority Two services for the Funding Year 2008-2009. In Application FCC Form 471

number 635304 the District requested three Basic Maintenance of Internal Connections services from two service providers, SchoolOne, LLC (SPIN 143022841) and Total Systems Integration, Inc. (SPIN 143011790). These are essential services for Cleveland. The computer network, built with E-rate dollars in the early years of the E-rate program, is aging and requires diligent maintenance of the networking equipments' repair, upkeep and configuration changes. The basic maintenance services are fundamental to continued reliable connectivity for the District's classrooms.

Cleveland submits its funding requests with care and responds with diligence to the Program Integrity Assurance ("PIA") reviewer's inquiries about the funding requests. Invariably, as with any program this intricate (thus, the need for the Bishop Perry order) there are corrections, deletions and/or unintentional omissions in the diverse funding requests that are noticed only during the PIA review, despite an attentive examination of the funding requests' elements during the RAL process. As the SLD notes in the USAC Website in Step 8: Undergo Application Review for Schools and Library Applicants: *"USAC reviews all Services Ordered and Certification Forms (Forms 471) to verify the accuracy of discount percentages and ensure that support is committed only for eligible products and services."*⁴

The Block 4 section of the FCC Form 471 lists the sites for which services are requested. It is an important list, since the site list for Priority Two funding requests must exclude non-instructional facilities ("NIFs"), which sites can be included in the Priority One funding requests. NIFs are ineligible to receive Basic Maintenance of Internal Connections services. The Cleveland Municipal School District continues its Capital Projects to build new schools or make capital renovations to existing facilities. To accommodate the building program, school changes for the student population are made late in the school year for the next academic year, and even as late as within the school year for which the E-rate funded services are requested, placing students in swing sites with NIFs becoming instructional facilities (IFs) for the current school year. Cleveland's need to make changes to the site list for the Priority Two FRNs is obvious. The site changes are not known during the RAL time period, and thus are addressed during the PIA process. Furthermore, the District at no time wishes to circumvent any E-rate program

⁴ <http://www.universalservice.org/sl/applicants/step08/> (underlining added in citation)

regulations. Rather, the District's intent is to secure the Basic Maintenance services for the computer network that will assure its students of an available and reliable network that provides students with access to the Internet at the highest eligible discount level – hallmarks of the E-rate program.

DISCUSSION

- (1) USAC's denial interrupted the PIA process, denying Cleveland opportunity to complete the review.

The Administrator's original denial of FRN's 1757609, 1757745, and 1757874 in Application 635304 (FCDL of March 24, 2009) occurred in the middle of the PIA process. The PIA reviewer (Christopher Averill) had just received the requested information for the review of Application 635304 along with other Priority 2 applications (see Attachment "C" - the original Letter of Appeal to USAC and its Attachment 'B' thereto). The Funding Commitment Report's ("FCR") first denial reason ("DR1") in the FCDL states that, *"The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%."* Cleveland contends the Administrator's action is inconsistent with the Bishop Perry Order and that the Administrator's actions in reviewing Application 635394 support the District's position. USAC's established and accepted actions, not only in this instance, but over many years of program participation, contravene the DR1 statement.

The FCR's Comment on RAL corrections states that the District's *"MC2 STEM High School and the Swing Site-MC2 STEM High School were added to the Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant."* These two sites were not added during the RAL period. You will note in Attachment "C" - Cleveland's Letter of Appeal to the Administrator and its Attachment 'A' thereto – that the District sent an email on November 25, 2008 to PIA reviewer Christopher Averill requesting to add two sites to the Block 4 on all of Cleveland's Priority 1 and Priority 2 applications. This is approximately nine months after the close of the RAL period. The two sites, as noted on the FCDL, were successfully added to the

Block 4's on the District's Funding Year 2008 applications. With this action the Administrator not only adhered to the spirit, intent and directives of the Bishop Perry Order, i.e. to help "...ensure that eligible schools and libraries actually obtain access to discounted telecommunications and information services,"⁵ but also followed the Administrator's established practice and precedent that permits corrections to the application during the PIA process, which emphasizes the importance of "...verify(ing) the accuracy of discount percentages and ensur(ing) that support is committed only for eligible products and services."⁶ However, the Administrator's DR statement clearly contradicts the Administrator's long-standing practice and precedent.

(2) USAC was inconsistent with the use of the FCC's Bishop Perry order (FCC 06-54).

Cleveland contends that the Administrator's DR1 explanation is at odds with the Administrator's actions. The two STEM school sites were added well outside the RAL period, and is evidence that this request, outside the RAL time frame, could, and was, successfully processed. The Administrator's willingness to process the two site additions to the Block 4's demonstrates USAC's understanding of the Commission's finding in the Bishop Perry Order that there is good cause to waive deadlines and/or processes, and that not to do so would "inflict undue hardship on the applicants".⁷ In this instance, the two specialized school sites can realize the intended benefits of the E-rate program.⁸

The PIA review for Application 635304 and other Priority 2 applications was intense, albeit lengthy, taking upwards of eight weeks to the time it was unduly cut off by USAC's denial. The PIA review took place during the same period of time when activity is high for the E-rate filings for the ensuing Funding Year 2009. The reviewer's accommodation of the restrictive time frames during the January and February 2009 filing period shows adherence to the Order's directives to

⁵ FCC 06-54 at 2

⁶ <http://www.universalservice.org/sl/applicants/step08/deadline-for-information-requests.aspx>

⁷ FCC 06-54 at 14

⁸ Ibid.

modify procedures to make more effective the application processing system, with the principal intent of helping schools better realize the intended benefits of the E-rate program.⁹

Attachment “C”, Cleveland’s Letter of Appeal to USAC within which Attachment ‘B’ illustrates there were numerous responses and requests for the several applications during the PIA process¹⁰. While applicants “Typically, ...have fifteen (15) days to reply to USAC requests,”¹¹ the District requested and received several extensions to respond to all inquiries during the funding request review. This, too, aligns with the Bishop Perry Order’s directive to waive the deadlines, that not to do so would “inflict undue hardship on the applicants”.¹² In the section on “Additional Processing Directives for USAC”¹³ the Commission states that “USAC, however, shall continue to work beyond the 15 days with applicants attempting in good faith to amend their applications.”¹⁴ It is clear that the Commission, not only agrees that amending the application is expected, it directs the Administrator to continue to work with the applicant, if the applicant is amending the application in good faith. There is no doubt that the Cleveland Municipal School District acted in full, good faith and within the rules and guidelines of the E-rate program.

Cleveland, during the review process, and in good faith, secured the most current National School Lunch Program (“NSLP”) data, using Claim Forms, noted in “Attachment C” – Cleveland’s Letter of Appeal to USAC with its Attachment ‘B’ thereto – from September 2008, for the Block 4 information. During the PIA process, Cleveland requested the reviewer to use the more current statistics for the Block 4 NSLP information. Clearly, the more current data is advantageous to the District. The E-rate program supports and expects, that the beneficiary provide current, accurate data, and that the beneficiary is diligent in securing the highest discount possible. This, then, was the intent of the District, i.e. to provide the most up-to-date NSLP statistics. The word “revision,” is used in the email communications and refers to the

⁹ Ibid.

¹⁰ Not all email communications are included.

¹¹ <http://www.universalservice.org/sl/applicants/step08/deadline-for-information-requests.aspx>

¹² FCC 06-54 at 14

¹³ FCC 06-54 at 23

¹⁴ Ibid. (See Footnote 63)

“modification”, “amendment,” or “correction” of the NSLP data. The word “revision” is commonly used in E-rate responses; semantics is not an issue in this appeal.

The updated NSLP data was submitted in good faith and conscientious efforts to garner the best benefit of the E-rate program for Cleveland, while adhering to existing program rules and program integrity. The District’s student population is mobile. Coupled with Cleveland’s massive new school construction program, the District’s NSLP data begs for updated current information. Thus, the District used the PIA process, as it is intended, to submit the more current Claim Form data. USAC’s SLD Web site states that the Application Review process is “...to verify the accuracy of discount percentages...”¹⁵ Cleveland’s intent was to provide the best available data to the SLD, and to secure the Basic Maintenance services for Cleveland’s disadvantaged students with the highest eligible discount for the District.

(3) USAC disregarded the intent of the program established in the Telecommunications Act of 1996.¹⁶

The Administrator’s action was not only inconsistent with the FCC’s Order 06-54 (“Bishop Perry”), but also with its own actions for the Application and the FRN’s appealed herein. The denial inflicted undue hardship on Cleveland without cause. The District believes that the denial is unwarranted per the Order, is counter to the public interest, and denies needed funds to a school District where these funds have great impact for thousands of students. Further, Cleveland engaged in good faith in the Program Integrity Assurance process, but the Administrator denied the District the full benefit of this established process, including the corrections to the Application. USAC’s denial disregards the Commission’s repeated confirmation that the Administrator must exercise due diligence in the interest of providing funding support to schools “...in which it will have the greatest impact for the most students.”¹⁷

REQUEST AND CONCLUSION

¹⁵ <http://www.universalservice.org/sl/applicants/step08/>

¹⁶ 47 U.S.C. § 254(h)(1)(B). In addition, Congress directed the Commission to "enhance . . . access to advanced telecommunications and information services for all public and non-profit elementary and secondary school classrooms, health care providers, and libraries." 47 U.S.C. § 254(h)(2).

¹⁷ FCC 06-54 at 23



The Cleveland Municipal School District respectfully requests the Commission reverse USAC's denial for FRN's 1757609, 1757745, and 1757874 and grant Cleveland the opportunity to complete the PIA review for these funding requests. The District's student population is for the most part highly disadvantaged and deserve due consideration to partake of the benefits of the E-rate program. Concurrently, if the Commission does not grant the Cleveland's Request for Review, the District asks for a Waiver to permit Cleveland to complete the PIA process within a reasonable time period, and to make the modifications, corrections and revisions as they were begun, and submitted in part. Cleveland further requests that the Commission remand Application number 635304 to USAC to complete the PIA process.

Respectfully submitted,

Ilze K. Lacis,
Director-MIS/E-Rate

Attachments:

- Attachment "A" – Funding Commitment Decision Letter, March 24, 2009 ("FCDL")
- Attachment "B" - Administrator's Decision on Appeal – Funding Year 2008-2009,
June 26, 2009 ("ADL")
- Attachment "C" – Cleveland's Letter of Appeal to USAC, May 22, 2009 with
Attachments 'A' and 'B'



Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER
 (Funding Year 2008: 07/01/2008 - 06/30/2009)

March 24, 2009

Ilze K. Lacis
 CLEVELAND CITY SCHOOL DISTRICT
 4966 Woodland Avenue
 Cleveland, OH 44104

Re: Form 471 Application Number: 635304
 Billed Entity Number (BEN): 129482
 Billed Entity FCC RN: 0012671517
 Applicant's Form Identifier: C-0809-BM

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$7,164,060.00 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 635304 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2008," AND
 - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 S. Jefferson Road
P.O. Box 902
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL have been added to Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1757257
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 522070000644401
SPIN: 143027943
Service Provider Name: Doan Pyramid, LLC
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/07/2008
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,433,098.92
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,433,098.92
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/24/2009
Wave Number: 044

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL
have been added to Block 4, Worksheet 1022309 of the Form
471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1757393
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 390790000563380
SPIN: 143005607
Service Provider Name: International Business Machines Corporation
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/07/2007
Contract Expiration Date: 06/30/2009
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$702,399.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$702,399.96
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block
4 of the 471 application could not be processed because the request was not received
within the required 15-day timeframe for receiving clerical and ministerial error
corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of
the request being made outside of the allowable time, the discount will remain at
86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for
Internal Connections and/or Basic Maintenance of Internal Connections at your
approved discount level to be funded. Please see <http://www.universalservice.org/sl/>
for further details.

FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL have been added to Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1757609
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 144270000652867
SPIN: 143022841
Service Provider Name: SchoolOne.com LLC
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/01/2008
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$392,706.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$392,706.96
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.
ECDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL have been added to Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1757745
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 390790000563380
SPIN: 143022841
Service Provider Name: SchoolOne.com LLC
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/07/2007
Contract Expiration Date: 06/30/2009
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,968,912.48
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,968,912.48
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL have been added to Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1757874
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 390790000563380
SPIN: 143011790
Service Provider Name: Total Systems Integration, Inc.
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/07/2007
Contract Expiration Date: 06/30/2009
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$193,050.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$193,050.00
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.
FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: CLEVELAND CITY SCHOOL DISTRICT
BEN: 129482
Funding Year: 2008

Comment on RAL corrections: MC2 STEM HIGH SCHOOL - SWING SITE, MC2 STEM HIGH SCHOOL have been added to Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.

Form 471 Application Number: 635304
Funding Request Number: 1758107
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 144270000652867
SPIN: 143027943
Service Provider Name: Doan Pyramid, LLC
Contract Number: N/A
Billing Account Number: 2165748000
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: N/A
Contract Award Date: 02/07/2008
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1022311
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,209.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$10,209.96
Discount Percentage Approved by the USAC: 86%
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2008-2009

June 26, 2009

Ilze K. Lacis
Cleveland Metropolitan School District
4966 Woodland Avenue
Cleveland, OH 44104

Re: Applicant Name: CLEVELAND CITY SCHOOL DISTRICT
Billed Entity Number: 129482
Form 471 Application Number: 635304
Funding Request Number(s): 1757609, 1757745, 1757874
Your Correspondence Dated: May 22, 2009

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1757609, 1757745, 1757874
Decision on Appeal: **Denied**
Explanation:

- Upon review of the appeal letter and the relevant documentation, USAC has determined that a Form 471 Receipt Acknowledgment Letter (RAL) was dated on February 14, 2008, to the Cleveland City School District. The RAL provided you with the opportunity to make allowable corrections to any errors on your FCC Services Ordered and Certification Form 471. All corrections were due to USAC by March 5, 2008. On February 19, 2009, you indicated that you were going to make adjustments to the Form 471 Block 4 billed entity list for the Priority 2 funding requests of FCC Form 471 Number 635304. The request to remove the entities was not received during the allowable timeframe to make corrections to the Form 471. Subsequently, a Funding Commitment Decision Letter (FCDL) was mailed on March 24, 2009.

The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to cure ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends a Form 471 Receipt Acknowledgement Letter (RAL) to each applicant once the FCC Form 471 has been successfully data entered. The RAL provides the applicant with an opportunity to amend their filings to cure minor errors or to submit missing information within 15 calendar days from the date of the receipt of notice in writing by USAC. Failure to provide missing information within 15 days from USAC's notification may result in a rejection of a form or a denial of a funding request. See SLD section of the USAC's web site, Reference Area, "Bishop Perry Order, Help and FAQs", www.usac.org/sl. The record indicates that you did not submit your changes within the allotted time period after USAC notification. Consequently, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Ilze K. Lacis
Cleveland Metropolitan School District
4966 Woodland Avenue
Cleveland, OH 44104

Billed Entity Number: 129482
Form 471 Application Number: 635304
Form 486 Application Number:

Department of Management Information Services

4966 Woodland Avenue, Cleveland, Ohio 44104 • 216-432-6240 • Fax 216-432-4632 • www.cmsdnet.net

E-rate Program

22 May 2009

TO: Letter of Appeal
Schools and Libraries Division
Universal Services Administrative Corporation

Via E-mail to: appeals@sl.universalservice.org

RE: Letter of Appeal for Funding Request Numbers 1757609, 1757745, and 1757874

Billed Entity Number	129482	Cleveland City School District
Form 471 Application Number	635304	
Funding Request Number	1757609	
Services Category	Basic Maintenance of Internal Connections	
Pre-Discount Amount	\$392,706.96	
SPIN	143022841	SchoolOne.com LLC
FCDL Date	03/24/2009	Wave Number: 044
Funding Year 2008	07/01/2008 – 06/30/2009	
Funding Commitment Decision	DR1: The applicant's request to revise block 4 of the	
Explanation	471 application could not be processed because the	
	request was not received within the required 15-day	
	timeframe for receiving clerical and ministerial error	
	corrections as stated in the FCC's Bishop Perry Order	
	(FCC 06-54). As a result of the request being made	
	outside of the allowable time, the discount will	
	remain at 86%.	
	DR2: Given Program demand, the funding cap will	
	not provide for Internal Connections and/or Basic	
	Maintenance of Internal Connections at your	
	approved discount level to be funded.	



Billed Entity Number	129482	Cleveland City School District
Form 471 Application Number	635304	
Funding Request Number	1757745	
Services Category	Basic Maintenance of Internal Connections	
Pre-Discount Amount	\$4,968,912.48	
SPIN	143022841	SchoolOne.com LLC
FCDL Date	03/24/2009	Wave Number: 044
Funding Year 2008	07/01/2008 – 06/30/2009	
Funding Commitment Decision Explanation	DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded.	

Billed Entity Number	129482	Cleveland City School District
Form 471 Application Number	635304	
Funding Request Number	1757874	
Services Category	Basic Maintenance of Internal Connections	
Pre-Discount Amount	\$193,050.00	
SPIN	143011790	Total Systems Integration, Inc.
FCDL Date	03/24/2009	Wave Number: 044
Funding Year 2008	07/01/2008 – 06/30/2009	
Funding Commitment Decision Explanation	DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded.	

FROM: Cleveland Metropolitan School District

Ilze K. Lacis

Director-Management Information Services/E-Rate Program

4966 Woodland Avenue

Cleveland, OH 44104

Tel: 216 432 6240

Fax: 216 432 4632

Lacisil@cmsdnet.net

BASIS OF APPEAL AND SUMMARY:

The Schools and Libraries Division (“SLD”) of the Universal Service Administrative Company (“USAC”, “Administrator”) erroneously denied funding [Funding Commitment Decision Letter (“FCDL”), dated March 24, 2009] for Funding Request Numbers (“FRN”) 1757609, 1757745, and 1757874 in Application 635304. The Administrator’s action (1) was inconsistent with the Federal Communications Commission’s Wireline Competition Bureau’s (“FCC”, “Commission”) order, FCC 06-54 (“Bishop Perry”, “Order”), (2) interrupted USAC’s Program Integrity Assurance (“PIA”) process denying the District opportunity to complete the review, and (3) disregarded the intent of the program established in the Telecommunications Act of 1996,¹ resulting in an incomplete review of the above three FRN’s, seeking funding for Basic Maintenance of Internal Connections for Funding Year 2008 and, thus, inflicted “...undue hardship...”² on the Cleveland Metropolitan School District.

DISCUSSION

The Administrator’s denial of FRN’s 1757609, 1757745, and 1757874 in Application 635304 occurred in the middle of the PIA process. The PIA reviewer had just received the requested information for the review of Application 635304 along with other Priority 2 applications (“Attachment B”). The Funding Commitment Report’s (“FCR”) first denial reason (“DR1”) in the FCDL states that “The applicant’s request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC’s Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%.” The District contends the Administrator’s action is inconsistent with the Bishop Perry Order and that the Administrator’s actions in reviewing Application 635304 support the District’s position.

The FCR’s Comment on RAL corrections states that the District’s “MC2 STEM High School and the Swing Site-MC2 STEM High School were added to the Block 4, Worksheet 1022309 of the Form 471 application at the request of the applicant.” These two sites were not added during the RAL period. You will note on “Attachment A” that I sent an email on November 25, 2008 to the reviewer (Christopher Averill) requesting to add two sites to the Block 4 on all of the District’s Priority 1 and Priority 2 applications. This is approximately nine months after the RAL

¹ 47 U.S.C. § 254(h)(1)(B). In addition, Congress directed the Commission to "enhance . . . access to advanced telecommunications and information services for all public and non-profit elementary and secondary school classrooms, health care providers, and libraries." 47 U.S.C. § 254(h)(2).

² FCC 06-54 at 14

period's close. The two sites, as noted on the FCDL, were successfully added to the Block 4's on the District's Funding Year 2008 applications. With this action the Administrator clearly adhered to the spirit, intent and directives of the Bishop Perry Order, i.e. to help "...ensure that eligible schools and libraries actually obtain access to discounted telecommunications and information services,"³ and clearly contradicts the DR1 statement.

The District contends that the Administrator's DR1 explanation is at odds with the Administrator's actions. The two STEM school sites were added well outside the RAL period, and is evidence that this request, outside the RAL time frame, could, and was, successfully processed. The Administrator's willingness to process the two site additions to the Block 4's demonstrates USAC's understanding of the Commission's finding in the Bishop Perry Order that there is good cause to waive deadlines and/or processes, and that not to do so would "inflict undue hardship on the applicants".⁴ In this instance, the two specialized school sites can realize the intended benefits of the E-rate program.⁵

The PIA review for Application 635304 and other Priority 2 applications was intense, albeit lengthy, taking upwards of eight weeks to complete. It was during the same period of time when activity is high for the E-rate filings for the ensuing Funding Year 2009. The reviewer's accommodation of the restrictive time frames during the January and February 2009 filing period shows adherence to the Order's directives to modify procedures to make more effective the application processing system, with the principal intent of helping schools better realize the intended benefits of the E-rate program.⁶

"Attachment B" illustrates there were numerous responses and requests for the several applications during the PIA process⁷. While applicants "Typically, ...have fifteen (15) days to reply to USAC requests,"⁸ the District requested and received several extensions to respond to all inquiries during the funding request review. This, too, aligns with the Bishop Perry Order's directive to waive the deadlines, that not to do so would "inflict undue hardship on the applicants".⁹ In the section on "Additional Processing Directives for USAC"¹⁰ the Commission states that "USAC, however, shall continue to work beyond the 15 days with applicants attempting in good faith to amend their applications."¹¹ It is clear that the Commission, not only agrees that amending the application is expected, it directs the Administrator to continue to work with the applicant, if the applicant is amending the application in good faith.

The District, during the review process, and in good faith, secured the most current National School Lunch Program ("NSLP") data, using Claim Forms (attached to email in "Attachment

³ FCC 06-54 at 2

⁴ FCC 06-54 at 14

⁵ Ibid.

⁶ Ibid.

⁷ Not all email communications are included.

⁸ <http://www.universalservice.org/sl/applicants/step08/deadline-for-information-requests.aspx>

⁹ FCC 06-54 at 14

¹⁰ FCC 06-54 at 23

¹¹ Ibid. (See Footnote 63)

B”) from September 2008, for the Block 4 information. During the PIA process, the District requested the reviewer to use the more current statistics for the Block 4 NSLP information. Clearly, the more current data is advantageous to the District. The E-rate program supports and expects, that the beneficiary provide current, accurate data, and is diligent to secure the highest discount possible. This, then, was the intent of the District, i.e. to provide the most up-to-date NSLP statistics. The word “revision,” is used in the email communications; this could just as easily have been words such as “modification”, “amendment,” or “correction”. The word “revision” is commonly used in E-rate responses. Semantics is not an issue in this appeal. The updated NSLP data was submitted in good faith and diligent efforts to garner the best benefit of the E-rate program for the District.

The District’s student population is mobile. Coupled with the District’s massive new school construction program, the District’s NSLP data begs for updated current information. Thus, the District used the PIA process, as it is intended, to submit the more current Claim Form data. USAC’s SLD Web site states that the Application Review process is “...to verify the accuracy of discount percentages...”¹² The District’s intent was to provide the best available data to the SLD.

CONCLUSION

The Administrator’s action was not only inconsistent with the FCC’s order 06-54 (“Bishop Perry”), but also with its own actions for the Application and the FRN’s appealed herein. The denial inflicted undue hardship on the District without cause. The District believes that the denial is unwarranted per the Order, is counter to the public interest, and denies needed funds to a school District where these funds have great impact for thousands of students. Further, the District engaged in good faith in the Program Integrity Assurance process, but the Administrator denied the District the full benefit of this established process, including the amending of the Application. USAC’s denial disregards the Commission’s repeated confirmation that the Administrator must exercise due diligence in the interest of providing funding support to schools “...in which it will have the greatest impact for the most students.”¹³

Respectfully submitted,



Ilze K. Lacis,
Director-MIS/E-Rate

Attach: Attachments A and B in PDF format

¹² <http://www.universalservice.org/sl/applicants/step08/>

¹³ FCC 06-54 at 23



Ilze K Lacis/CMSD
11/26/2008 10:44 AM

To "Averill, Christopher" <CAVERIL@sl.universalservice.org>
cc Anita L. Spencer/CMSD@CMSD
bcc
Subject RE: Cleveland school apps - plse add two sites

Thanks, Chris. The list helps. I will get this first part of next week and forward to you. We have many staff who have taken the week and/or today off (nice, since I'm getting 'stuff' done).

A very happy Thanksgiving Day -- and year to come. Ilze

Ilze K. Lacis

Director-MIS

Tel: (216) 432-6240

Fax: (216) 432-4632

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"Averill, Christopher" <CAVERIL@sl.universalservice.org>



"Averill, Christopher"
<CAVERIL@sl.universalservice.org>

11/26/2008 08:40 AM

To "Ilze K Lacis" <Ilze.K.Lacis@cmsdnet.net>
cc
Subject RE: Cleveland school apps - plse add two sites

Ilze,

Before I can add these two entities to any of the block 4 worksheets, you will need to provide the following information:

- The necessary discount information (e.g., student count, NSLP eligibility count)
- The worksheet number that the entities are to be added to.
- Documentation supporting the eligibility of these two entities
- Specific documentation, for each FRN, showing the products/services that are being provided to these entities. If an FRN amount is to be increased, please specify the amount of the increase. If a FRN does not include any products/services to these entities, then there is no need to add them to that worksheet.

Thanks
Chris

From: Ilze K Lacis [mailto:Ilze.K.Lacis@cmsdnet.net]
Sent: Tuesday, November 25, 2008 4:41 PM
To: Averill, Christopher
Cc: Anita L Spencer
Subject: Cleveland school apps - plse add two sites

Chris,

This is per our telephone discussion this afternoon. The two additional sites are below, with, I hope, the information you need. I will provide the supporting documentation under separate cover next week. Many thanks, and wishing you and yours a wonderful Thanksgiving Day!

Ilze

Please update the Blocks 4 on the above Forms 471 and FRNs noted above by adding the following two sites. The respective Forms 471 have not been funded as yet:

MC2STEM-Swingsite @ Great Lakes Science Center: **SLD Entity # 16049703**
MC2STEM-Nela: **SLD Entity # 16049704**

Entity # 129482

Funding Year: 2008-09 (no applications funded as yet)

Block 4 on Forms 471 for FRNs therein:

630069
635036
635304
635809
635405
636643

FRNs: all FRNs on the above Forms 471

Service Provider(s): Various, as noted on the Forms 471 above for all FRNs included therein (AllTel, AT&T, Easton, SBC Long Distance, Time Warner, USA Mobility, Verizon, XO Communication, IBM, SchoolOne, Total Systems Integration, Doan Pyramid)

SPIN(s):

143008900
143001688
143003988
143025073
143030626
143018525
143000677

143000093
143027943
143022841
143011790
143005607

Ilze K. Lacis
Director-MIS
Tel: (216) 432-6240
Fax: (216) 432-4632

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"Averill, Christopher"
<CAVERIL@sl.universalservi
ce.org>

03/18/2009 08:50 AM

To "Ilze K Lacis" <Ilze.K.Lacis@cmsdnet.net>
cc

bcc

Subject RE: Two items: App 635304 for split FRN 1758841 &
Discount revision for FRNS in App 635304 (except FRN
1758841)

History: This message has been forwarded.

Ilze,

Just to confirm that the information I requested for applications 635304, 635405, and 635809 has been provided

Thanks
Chris

From: Ilze K Lacis [mailto:Ilze.K.Lacis@cmsdnet.net]
Sent: Tuesday, March 17, 2009 5:38 PM
To: Averill, Christopher
Cc: Anita L Spencer
Subject: Two items: App 635304 for split FRN 1758841 & Discount revision for FRNS in App 635304 (except FRN 1758841)

Chris,

Attached are six documents (as nine attachments - see #(6) below).

- (1) The PIA letter
- (2) Application 635405 info to split FRN 1758841 (This also includes the equipment lists and pricing)
- (3) Claim Forms for FRN 1758841 school list (Block 4)
- (4) Claim Forms for *NEW FRN XXXXXXXX (Block 4)*
- (5) Discount revision for Block 4 for FRNs in App 635304 (except FRN 1758841)
- (6) Claim Forms for supporting documentation for the revised Block 4 (in three parts)

I believe this wraps up the questions to-date for App 635405. Please confirm. (Note the PIA questions Word doc has the most recent responses in *CAPS ITALICS AND PURPLE FONT*. Also, I believe this completes my responses for the large PIA letter. Please confirm this as well. (excluding your most recent email re the FY2009 funding requests; we are finalizing the Items 21.)

PLEASE NOTE: The Block 4 discount data is critical for the District. I will call you tomorrow to review.

Thanks, so very much, for your patience,
Ilze

Ilze K. Lacis
Director-MIS
Tel: (216) 432-6240
Fax: (216) 432-4632

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----- Forwarded by Ilze K Lacis/CMSD on 03/12/2009 02:32 PM -----

Ilze K Lacis/CMSD

To: "Averill, Christopher" <CAVERIL@sl.universalservice.org>

CC: Anita L Spencer/CMSD@CMSD

03/06/2009 09:46 AM

Subject: Fw: Phone message

Chris,

Below is a further update of the current PIA request. It is for item # II - FRN 1757257: cost allocation. I believe this completes your questions for this FRN. Please confirm this is correct. I will continue to send you the outstanding responses.

Thanks, again, for your patience.

Ilze

[attachment "ERate-635304-405-809-incomplete due 23feb 24feb09.docx" deleted by Ilze K Lacis/CMSD]

Ilze K. Lacis
Director-MIS
Tel: (216) 432-6240
Fax: (216) 432-4632

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----- Forwarded by Ilze K Lacis/CMSD on 03/06/2009 09:33 AM -----

Ilze K Lacis/CMSD

To: "Averill, Christopher" <CAVERIL@sl.universalservice.org>

CC: Anita L Spencer/CMSD@CMSD

03/05/2009 10:47 AM

Subject: RE: Phone message [Link](#)

Chris -- the attached doc has two updates/clarifications for Sections VI and XIV Both responses are in *blue italicized font*.

Many thanks, Ilze

[attachment "ERate-635304-405-809-incomplete due 23feb 24feb09.docx" deleted by Ilze K Lacis/CMSD]

Ilze K. Lacis

Director-MIS

Tel: (216) 432-6240

Fax: (216) 432-4632

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"Averill, Christopher" <CAVERIL@sl.universalservice.org>

To: "Ilze K Lacis" <Ilze.K.Lacis@cmsdnet.net>

cc

03/05/2009 09:17 AM

Subject: RE: Phone message

Ilze

Just to confirm receipt

Chris

From: Ilze K Lacis [<mailto:Ilze.K.Lacis@cmsdnet.net>]
Sent: Wednesday, March 04, 2009 4:52 PM
To: Averill, Christopher
Cc: Anita L Spencer
Subject: Re: Phone message

Chris,

Here are outstanding responses. There are still some responses outstanding. I don't know why this one is such a bear to get finished. Probably, b/c the filing is over, and everything else is coming to the fore that was pushed back during 'E-Rate season'.

My next item to push is the discount reworking for the Block 4 for P2s. This will provide the responses for Items # XV and XVI.

I truly, truly appreciate (and am grateful) for your patience with this one.

Ilze

Ilze K. Lacis
Director-MIS
Tel: (216) 432-6240
Fax: (216) 432-4632

The primary goal of the Cleveland Metropolitan School District is to become a premier school district in the United States of America.

Education is too frequently thought of as a means to an end, rather than a process of enlightening, opening minds and enriching experiences.

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"Averill, Christopher" <CAVERIL@sl.universalservice.org>

03/02/2009 01:38 PM

To: "Ilze K Lacis" <Ilze.K.Lacis@cmsdnet.net>
cc
Subject: Phone message

Ilze,

I see you left me a phone message. I'm out of the office today and will return your call tomorrow.

Thanks
Chris Averill
Schools & Libraries Division
Program Integrity Assurance
Phone # 973-581-5342
Fax # 973-599-6579
E-Mail: caveril@sl.universalservice.org

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